

REMARKS

The present Amendment amends claims 5-7 and 10-13 and cancels claims 1-4, 8, 9 and 14-20. Therefore, the present application has pending claims 5-7 and 10-13.

Claim 14 stands rejected under 35 USC §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regards as their invention. As indicated above, claim 14 was canceled. Therefore, this rejection is rendered moot. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

Claims 1 and 16 stand rejected under 35 USC §102(e) as being anticipated by Aziz (U.S. Patent No. 6,779,016); claims 2, 7, 14, 15 and 17-20 stand rejected under 35 USC §103(a) as being unpatentable over Aziz; and claims 3-6 and 8-13 stand rejected under 35 USC §103(a) as being unpatentable over Aziz and further in view of Erwin (articled entitled "Virtual Private Networks). As indicated above, claims 1-4, 8, 9 and 14-20 were canceled. Therefore, these rejections with respect to claims 1-4, 8, 9 and 14-20 are rendered moot. The above described rejections with respect to the remaining claims 5-7 and 8-13 are traversed for the following reasons. Applicants submit that the features of the present invention as now more clearly recited in 5-7 and 8-13 are not taught or suggested by Aziz or Erwin whether taken individually or in combination with each other as suggested by the Examiner. Therefore, Applicants respectfully request the Examiner to reconsider and withdraw these rejections.

Amendments were made to claims 5-7 and 10-13 to more clearly recite that the present invention is directed to a computer resource allocating method for allocating service to each user in a computer system having a plurality of servers interconnected by a Local Area Network (LAN), connected external to the internet, connected to a storage and a storage network and processing a request of a plurality of users.

According to the present invention, the computer resource allocating method includes configuring, for each user, a Virtual Local Area Network (VLAN) related to connection to servers allocated to the user and connection between the servers, monitoring a load of each of the servers, when making an allocation change of the servers of the user according to the monitoring result of the load, making a dynamic change of the VLAN of the user who changes allocation so that a computer allocated to each users always included into the VLAN of the user, configuring a Virtual Private Network (VPN) connecting the exit of a user and the entry of the computer system via a carrier on the internet to each user, monitoring at least a network load of the VPN configured for each user at the entry of the computer system, making a change of the VPN configuration so as to change a network bandwidth according to the monitoring result of the load, configuring zoning for each user by the storage network, making an allocation of a storage access bandwidth resource to each user, dynamically changing the storage network bandwidth and Logical Unit Number (LUN) access priority according to a load of the storage network of each user and when a load to the network and server with respect to the resource divided to a user

is increased, a change is made in order of the resource allocation of the storage network part, the VLAN part configuration and the VPN part configuration.

The above described features of the present invention now more clearly recited in the claims are not taught or suggested by Aziz or Erwin whether taken individually or in combination with each other as suggested by the Examiner.

Aziz teaches a method and apparatus for controlling an extensible computing system. Specifically, Aziz teaches that a Virtual Server File (VSF) is created out of a wide scale computing fabric and allocation and control of the elements in the VSF is performed by a control plane connected to all computing, networking and storage elements in the computing grid through special control ports. As taught by Aziz, the control plane includes a control mechanism hierarchy that includes one or more master control process mechanisms communicatively coupled to one or more slave control process mechanisms and the one or more master control process mechanism instruct the slave control process mechanism to establish VSF by selecting subsets of processing and storage resources. However, Aziz does not teach or suggest numerous features of the present invention as recited in the claims.

Particularly, Aziz does not teach or suggest that the system changes the configuration of the VLAN part in a sequence of adding allocating servers, changing the VLAN of Switch on the storage side and changing the VLAN of Switch on the VPN router side of the servers when the servers or the network are overloaded as in the present invention as recited in the claims.

In the Office Action, the Examiner has indicated that "it would have been obvious for the change process to be performed in any order because the order in

which the switches are changed is irrelevant for the successful reconfiguration of the VLAN". However, one of ordinary skill in the art would clearly recognize that the order of the processes is very relevant and quite important. In fact, as well understood by those of ordinary skill in the art, if the order is reversed, the security of an idle server in the data center may be accessed, thereby compromising the security of the entire system. This problem is discussed, for example, in the present application on page 38, line 15 through page 39, line 12. Accordingly, the features of the present invention as now more clearly recited in the claims provide unique advantages over that taught by Aziz.

Thus, Aziz fails to teach or suggest that when a load to the network and server with respect to the resource divided to a user is increased, a change is made in the order of the resource allocation of the storage network part, the VLAN part configuration and the VPN part configuration as recited in the claims.

Therefore, the features of the present invention as now more clearly recited in the claims are not taught or suggested by Aziz. Accordingly, reconsideration and withdrawal of the 35 USC §102(e) rejection of the claims as being anticipated by Aziz is respectfully requested.

The above noted deficiencies of Aziz are not supplied by any of the other references of record. Particularly, the above described features of the present invention now more clearly recited in the claims are not taught or suggested by Erwin. Erwin teaches the monitoring and changing of a VPN. However, at no point is there any teaching or suggestion in Erwin that changes are performed in a particular order as in the present invention as recited in the claims so as to not

comprise security in the entire system. Thus, Erwin suffers from the same deficiencies relative to the features of the present invention as now more clearly recited in the claims as Aziz.

Thus, Erwin fails to teach or suggest that when a load to the network and server with respect to the resource divided to a user is increased, a change is made in order of the resource allocation of the storage network part, the VLAN part configuration and the VPN part configuration as recited in the claims.

Therefore, Erwin suffers from the same deficiencies relative to the features of the present invention as recited in the claims as Aziz and as such combining the teachings of Aziz and Erwin in the manner suggested by the Examiner in the Office Action still fails to teach or suggest the features of the present invention as now more clearly recited in the claims. Accordingly, reconsideration and withdrawal of the 35 USC §103(a) rejection of the claims as being unpatentable over Aziz in view of Erwin is respectfully requested.

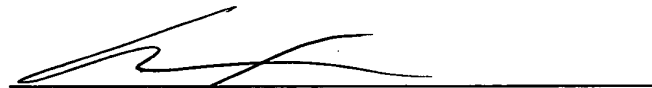
The remaining references of record have been studied. Applicants submit that they do not supply any of the deficiencies noted above with respect to the references utilized in the rejection of claims 1-20.

In view of the foregoing amendments and remarks, applicants submit that claims 5-7 and 10-13 are in condition for allowance. Accordingly, early allowance of claims 5-7 and 10-13 is respectfully requested.

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C., Deposit Account No. 50-1417 (520.41252X00).

Respectfully submitted,

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.

A handwritten signature in black ink, appearing to read 'Carl I. Brundidge', is written over a horizontal line.

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